

REMARKS

Claims 8, 9, 11 and 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by US 2003/0228249 A1 to Fujimura et al. Fujimura et al was cited as disclosing a fluoroelastomer consisting of ultradispersed diamond particles (UDD) used for sealing, the average particle size of the diamond particles being 4.2 mm or less (citing paragraphs [0002] and [0327]-[0331]).

Applicants respond as follows.

Claim 8 is directed to a sealing material comprising a fluorine-containing elastomer composition comprising a perfluoroelastomer and a specific inorganic filler, the inorganic filler consisting of a crystalline carbon allotrope having an average primary particle size of at most 0.1 μm.

The rejection should be withdrawn because there is no description in Fujimura et al as to the combination of a perfluoroelastomer and the specific inorganic filler as claimed in claim 8.

Regarding this last point, the Applicants respectfully disagree that paragraph [0336] of Fujimura et al relied upon by the Examiner discloses “perfluororubber.” To the contrary, paragraph [0336] describes a “poly-fluoro elastic material or perfluoropolymer.” A “poly-fluoro elastic material” is not the same as a “perfluoroelastomer.” This is because “poly-fluoro” includes a partially fluorinated elastic material. Further, “perfluoropolymer” is not the same as “perfluoroelastomer.” This is because “polymer” includes a resin.

The ethylene/perfluoroalkyl vinyl ether copolymer in paragraph [0327] of Fujimura et al is a “poly-fluoro elastic material,” and is not a “perfluoroelastomer.”

Further, as described in paragraph [0336] of Fujimura et al, the words “poly-fluoro” and “perfluoro” are defined to have different meanings. In addition, there is no concrete example in Fujimura et al of a perfluoroelastomer, or even a poly-fluoro elastic material, used in combination with UDD.

In summary, Fujimura et al does not disclose or suggest the combination of a perfluoroelastomer and the specific inorganic filler as claimed in claim 8. Because Fujimura et al does not meet one or more of the limitations of claim 8, it is respectfully submitted that claims 8, 9, 11 and 16 are not anticipated by Fujimura et al, and withdrawal of the foregoing rejection under 35 U.S.C. § 102(b) is respectfully requested.

Claim 17 was rejected under 35 U.S.C. § 102(b) as being anticipated by Fujimura et al.

Applicants rely on the response above with respect to the rejection of claim 8 over Fujimura et al.

Withdrawal of all rejections and allowance of claims 8, 9, 11, 16 and 17 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Abraham J. Rosner
Registration No. 33,276

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 27, 2010